

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1. STATE OF OKLAHOMA,
2. KEVIN STITT, in his official capacity as Governor of Oklahoma,
3. OKLAHOMA DEPARTMENT OF MINES,
4. OKLAHOMA CONSERVATION COMMISSION,

Plaintiffs,

v.

1. UNITED STATES DEPARTMENT OF THE INTERIOR,
2. DEBRA A. HAALAND, in her official capacity as Secretary of the Interior,
3. OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT,
4. GLENDA OWENS, in her official capacity as Acting Director of the Office of Surface Mining Reclamation and Enforcement,

Civil Action No: CIV-21-719-F

Defendants.

SECOND SUPPLEMENTAL DECLARATION OF SUZEN RODESNEY

I, Suzen Rodesney, hereby declare as follows:

1. I am over 18 years of age, competent to testify in this case, and have personal knowledge of the matters discussed in this supplemental declaration.

2. On August 30, 2021, I attended a meeting with state legislators at the Oklahoma State Capitol Building to discuss temporary funding needed to pay employee salaries associated with the SMCRA Title V program ("coal program") at the Oklahoma Department of Mines ("ODM") while this case is pending.

3. Following that meeting, the Director of the ODM authorized me to pay coal program salaries through the end of September 2021 using non-federal funds not associated with funding ODM's coal program.

4. On October 12, 2021, ODM entered into an agreement with Oklahoma Conservation Commission (OCC) whereby OCC has agreed to loan \$300,000.00 to ODM so that ODM can continue to operate its surface coal mining and reclamation program as required by SMCRA, ODM regulations, and state coal mining laws while this case is pending.

5. The ODM-OCC agreement provides sufficient funds for coal program employee salaries through December 31, 2021.

6. ODM intends to offer its coal program employees a voluntary out benefits package. Applicable federal law allows employees 45 days to consider ODM's voluntary out benefits package. That means that ODM will have to offer a voluntary out benefits package to coal program employees by November 15, 2021.

7. If the pending motion for preliminary injunction remains pending on November 15, 2021, ODM expects to lose a significant number, if not all, of its coal program employees.

I declare under penalty of perjury that the above statements are true and correct to the best of my knowledge. Executed this 25 th day of October, 2021, in Oklahoma City, Oklahoma.

Suzen M. Rodesney
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